

USFK REGULATION 190-40

MILITARY POLICE (190)

Serious Incident Report

13 November 1995

UNCLASSIFIED

HEADQUARTERS
UNITED STATES FORCES, KOREA
UNIT #15237
APO AP 96205-0010
19 June 1998

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REFERENCE SET

USFK Regulation No. 190-40
Interim Change
No. 1
Expires upon revision of USFK Reg 190-40

Military Police

SERIOUS INCIDENT REPORTS

Justification: This interim change establishes policy changes for Police Information Reports.

Expiration: This interim change will expire when rescinded or superseded by a permanent change or revision of the regulation.

1. USFK Reg 190-40, 13 November 1995, is changed as follows:

Paragraph A-1a. Delete paragraph A-1a and replace with the following: "Whenever an E-9, W-5, O-5 or above, GS-13 or above, or their family members are **subjects** in a MP/SF case, excluding traffic accidents with no injury."

Delete Paragraph A-1b.

Paragraph A-1c. Delete paragraph A-1c and replace with the following: "Any MP/SF case involving a MP/SF as a **subject** and/or **victim**."

Delete Paragraph A-1e.

Delete Paragraph A-1g.

Paragraph A-1i. Delete the word "Accidental" and add the following at the end of the sentence: "by an MP/SF during the performance of law enforcement duties."

2. Post this change per DA Pam 25-40.
3. File this interim change in front of the publication.

Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, USFK, ATTN: FKPM-O, Unit #15237, APO AP 96205-0010.

FOR THE COMMANDER:

OFFICIAL:
RANDOLPH W. HOUSE
Lieutenant General, USA
Chief of Staff



JOHN A. HALL
Assistant Adjutant General

SPECIAL DISTRIBUTION:

- 10 - Provost Marshal, 2d Infantry Division, APO AP 96224-0290
- 10 - Provost Marshal, Yongsan Military Garrison, Area II and Area III, APO AP 96205
- 10 - Provost Marshal, Area IV, APO AP 96218-0182
- 10 - Provost Marshal, Camp Page, APO AP 96208-0252
- 10 - Commander, 19th CID BN, APO 96205-0077
- 10 - Chief, AFOSI Dist 045, APO 96205-0056
- 10 - Chief, Security Forces, 7th AF, Osan AB, APO 96570
- 10 - Chief, Security Forces, 51st CSG, Osan AB, APO 96278-2063
- 10 - Chief, Security Forces, 8th CSG, Kunsan AB, APO 96264
- 10 - Security Officer, Fleet Activities, Chinhae, APO AP 96269
- 10 - FKJA
- 15 - FKPM-O
- 8 - EAIM-R-PM (Editing)
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HEADQUARTERS
UNITED STATES FORCES, KOREA
UNIT #15237
APO AP 96205-0010

USFK Regulation
No. 190-40

13 November 1995

(Effective: 27 November 1995)
Military Police
SERIOUS INCIDENT REPORTS

SUPPLEMENTATION. Issue of further supplements to this regulation by subordinate commands is prohibited unless prior approval is obtained from HQ USFK, ATTN: FKPM-JPIC, Unit #15237, APO AP 96205-0010.

INTERNAL CONTROL PROVISIONS. This regulation does not contain management control provisions.

1. **PURPOSE.** This regulation establishes procedures for reporting serious incidents and any other occurrences which may cause widespread publicity or be of concern to the Commander, United States Forces, Korea (USFK).

2. **APPLICABILITY.** This regulation applies to incidents involving USFK personnel and their family members, invited contractor personnel and their family members, technical representatives and their family members, Korean Augmentation to United States Army (KATUSA) personnel, and Korean National employees of USFK acting within the scope of their duties, and members of their families when United States (U.S.) facilities/equipment are involved.

3. **REFERENCE.** Required publication. AR 190-40 (Serious Incident Reports). Cited in subparagraph 4o.

4. **EXPLANATION OF ABBREVIATIONS AND SPECIAL TERMS.**

- | | |
|-----------|---|
| a. HQDA | Headquarters, Department of the Army |
| b. JPIC | Joint Police Information Center |
| c. KATUSA | Korean Augmentation to the United States Army |
| d. MP | Military Police |
| e. PIR | Police Incident Report |

*This regulation supersedes USFK Reg 190-40, 6 August 1990.

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- f. SIR Serious Incident Report
- g. SP Security Police
- h. U.S. United States (of America)
- i. USFK United States Forces, Korea

j. **Police Incident Report(s) (PIRs).** A report of an actual or alleged incident that does not meet the criteria for a Serious Incident Report (SIR) as listed below, but merits attention by the USFK Provost Marshal and/or USFK Commander. See appendix A for exact criteria for PIRs.

k. **Serious Incident Report(s) (SIRs).** An actual or alleged incident, accident, instance of misconduct, act, or condition (criminal or non criminal) that warrants timely notice to the Commander, USFK, because of its nature, publicity, or potential consequences. The incident will be reported regardless of the rank or position of the personnel involved.

l. **Category 1 Incident.** A serious incident which, in the opinion of the local commander, is of immediate concern to higher headquarters. Incidents that must be reported include--

(1) On/off-post riots or serious demonstrations involving USFK personnel or are sponsored by known dissident groups directed against USFK personnel, property, or installations.

(2) Terrorist activities, sabotage, firebombing, and incidents initiated or sponsored by known dissident groups directed against USFK personnel, property, or installations.

(3) War crimes, including mistreatment of enemy prisoners of war, violations of the Geneva Convention, and atrocities.

(4) Requests by members of the U.S. Military for political asylum in foreign countries or indications of defection.

(5) Incidents involving material damage that seriously degrade unit operational or training readiness.

(6) Threats against Government weapons and ammunition.

(7) Information on threats, plans, or attempts to harm or kidnap, or other information bearing on the personal security of the President or Vice President of the U.S., or other persons protected by the U.S. Secret Service.

m. **Category 2 Incident.** A serious incident which requires timely notification to higher headquarters. Incidents that must be reported include the following:

(1) Theft, suspected theft, wrongful appropriation or willful destruction of Government property or appropriated funds valued at \$50,000 or more.

(2) Theft, suspected theft, negligence, or conflict of interest involving Government nonappropriated funds or property valued at more than \$50,000.

(3) Racially or ethnically motivated criminal acts.

(4) Loss, theft, wrongful disposition, willful destruction, or mismanagement of one of the following:

(a) Evidence.

(b) Sensitive items.

(c) Controlled cryptographic items.

(d) Night vision devices.

(e) Drugs (schedules I-IV).

(5) Wrongful possession, manufacture or distribution of controlled substances, to include narcotics, drugs or marijuana in the quantities listed below.

(a) Cocaine, 40 grams or more.

(b) Marijuana, 600 grams or more.

(c) Hashish, 350 grams or more.

(d) Amphetamines or barbiturates, 30 grams or more.

(e) LSD, 750 dose units or more.

(f) PCP, 30 grams or more.

(6) Significant violations of standards of conduct such as bribery, conflict of interest, or graft accepted by service members, Department of Defense civilians, or nonappropriated fund employees.

(7) Theft, loss, suspected theft, unaccounted or recovered arms, ammunition, or explosives.

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(8) Actual or attempted break-ins, or armed robberies of arms rooms or weapons/ammo storage areas.

(9) Aggravated arson.

(10) Deaths, to include homicides, suicides or deaths resulting from traffic accidents, training accidents, fires, or other incidents. Deaths in medical facilities resulting from natural causes need not be reported under this category.

(11) Kidnapping.

(12) Major fires or natural disasters.

(13) Child abuse, injury or death which takes place in an organizational setting such as daycare, school, quarters based child care, etc. Incidents of this type occurring in the home of the child (not death) are reported as category 3.

n. **Category 3 Incidents.** Any actual or alleged incident, accident, criminal act, or misconduct (regardless of the rank or position of the personnel involved) which by its sensitivity or nature could cause unfavorable publicity, embarrassment, or discredit to the command. (See listing in appendix B.)

o. Army Law Enforcement personnel will consult AR 190-40 when determining the proper category for an SIR. Only Joint Police Information Center (JPIC) personnel will send category 1 and 2 SIRs to HQDA. Category 1 and 2 SIRs submitted by Air Force or Navy Law Enforcement agencies will not be forwarded to HQDA, unless they fulfill the criteria established in AR 190-40.

5. RESPONSIBILITIES.

a. The Commander, USFK is responsible for planning, formulating, and coordinating matters pertaining to SIRs.

b. The Provost Marshal, USFK, is the SIR Officer for HQ, USFK, and is responsible for preparing and submitting SIRs to the Commander, USFK, and DA.

c. Local Provost Marshals and Chiefs of Security Police (SPs) are responsible for preparing a legible USFK Form 102-R (Information Guide for Telephonically (FAX) Reported SIRs), (app C) (which will be locally reproduced on 8 1/2-by 11-inch paper) and forwarded to the JPIC by the fastest means available.

d. The JPIC is responsible for maintaining all SIRs and PIRs. The SIRs/PIRs will be maintained for a period of one calendar year.

e. The following naval commands will provide only telephonic reports of incidents which involve naval personnel and are within the cognizance of this regulation: Duty Officer, Naval Forces, Korea; Security Officer, Fleet Activities, Chinhae; and Officer in Charge, U.S. Naval Forces, Korea, Detachment Pohang. Such reports will be telephonically provided to the JPIC at 738-8070/6374, (FAX) 738-4176.

6. PROCESSING SIRs AND PIRs.

a. Initial telephonic reports of PIR/SIRs will be made immediately from the local Military Police (MP) desk/SP law enforcement desks to the JPIC. The legible USFK Form 102-R will be submitted not later than 6 hours after the local MP/SP law enforcement desk has been notified of the incident.

b. All reports will be submitted to the JPIC at the telephone numbers listed in subparagraph 5(e) above.

(1) This information is will be included in all PIR/SIRs reported to the JPIC.

(2) The USFK Form 102-R has a block for drug/alcohol involvement. If this block is used, include the amount and type of drug/alcohol, if known. Reports of traffic accidents with alcohol involved will indicate whether a blood alcohol test was administered and, if known, the results.

(3) The narrative summary will provide complete who, what, where, when, and, if known, why and how. All personnel involved in the report will be listed on the front of USFK Form 102-R. This includes subjects, victims, witnesses, complainants, medical authorities, and MPs/SPs.

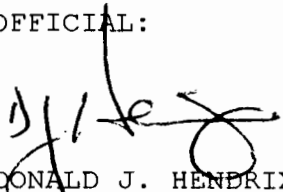
(4) Follow-up reports must be submitted when additional information is obtained. The military police report number, date of incident, and in block 5, "FOLLOW-UP" will be annotated on the front of USFK Form 102-R.

The proponent of this regulation is the Office of the Provost Marshal, USFK. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, USFK, ATTN: FKPM-JPIC, Unit #15237, APO AP 96205-0010.

FOR THE COMMANDER:

OFFICIAL:

RICHARD F. TIMMONS
Lieutenant General, USA
Chief of Staff


DONALD J. HENDRIX
Lieutenant Colonel, USA
Assistant Adjutant General

3 Appendixes

- A. Criteria for Police Information Report (PIR)
- B. Criteria for a Category 3 Serious Incident Report (SIR)
- C. USFK Form 102-R (Information Guide for Telephonically (FAX) Reported SIRs

SPECIAL DISTRIBUTION:

- 10 - 2ID, ATTN: Provost Marshal,
Unit #15041, APO AP 96224-0290
- 10 - Provost Marshal, Yongsan Military
Garrison and Area II,
APO AP 96205-0076
- 10 - Provost Marshal, Areas III
and IV, APO AP 96218-0182
- 10 - Provost Marshal, Camp Page,
APO AP 96208-0252
- 10 - Commander, 2d Region
USACIDC, APO AP 96205-0077
- 10 - Commander, AFOSI Dist 045,
APO AP 96205-0056
- 10 - Chief, Security Police, 7th AF,
Osan AB, Unit #2057,
APO AP 96570-5000
- 10 - Chief, Security Police, 51st SPS,
Osan AB, Unit #2057,
APO AP 96570-5000

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- 10 - Chief, Security Police, 8th SPS, Kunsan AB, Unit #2097,
APO AP 96264-5000
- 10 - Security Officer, Fleet Activities, Chinhae, APO AP 96269
- 10 - FK CJ
- 15 - FKPM-O
- 8 - FKJ6-R-PM
- 90 - PPCK
- 1 - HQDA (DAMO-ODC) WASH DC 20301

APPENDIX A

CRITERIA FOR POLICE INFORMATION REPORT (PIR)

A-1. Incidents that meet the requirements for PIRs are--

a. Whenever an E-9, warrant officer, commissioned officer, GS-11 or above, or their family members are **subjects** in a MP/SP case, excluding traffic accidents with no injury.

b. Any traffic accident that results in minor injuries to an individual indicated in subparagraph A-1(a) that does require hospitalization.

c. Any MP/SP case that involves a MP/SP as a subject, victim, or witness.

d. Any law enforcement personnel injured while in the performance of their duties.

e. When a military member or their family member is a victim of an assault resulting in injury that does not require hospitalization.

f. When any foreign soldier is involved in a MP/SP case. This does not include KATUSAs.

g. Any juvenile victims/subjects.

h. Loss or theft of MCI, MI, MPI, or CID credentials.

i. Accidental discharge of a weapon.

A-2. The JPIC personnel will then notify the appropriate personnel from the FKPM-O.

A-3. All questions pertaining to the use of PIRs will be addressed to the JPIC Shift Leader.

APPENDIX B

CRITERIA FOR A CATEGORY 3 SERIOUS INCIDENT REPORT (SIR)

B-1. The following incidents are of immediate concern to the Commander, USFK:

a. Report of death of a USFK member, Department of Defense affiliate, or contract representative, or their family members. Report any death occurring on a USFK installation regardless of the nationality of the victim.

b. Any traffic accident resulting in the fatality, or injury requiring hospitalization, of those personnel listed in appendix B, subparagraph B-1a.

c. A prisoner escapes from the Eighth United States Army Confinement Facility, one of its details, one of the escort details, or a Status of Forces Agreement prisoner escapes from a Republic of Korea correctional facility.

d. Report of assault with intent to commit murder, attempted murder, or aggravated assault that results in **serious** injury to the victim. For example, fractured/dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and any other grievous bodily harm.

e. Any assault that involves USFK personnel and host-nation individuals resulting in injury, or incidents that, because of their nature, could result in unfavorable publicity for USFK.

f. Reports of attempted suicide, self-mutilation, or malingering that have been classified as such by medical authority.

g. Reports of black-marketing and related offenses (i.e., wrongful disposition of duty-free goods, or failure to account for the Letter of Authorization items) when the total dollar value exceeds \$5,000.

h. Report of smuggling, postal violations, customs violations, or currency manipulation when the total dollar value exceeds \$5,000.

i. Unauthorized absence of USFK personnel while in an international hold status.

j. Incidents/acts committed by host-country nationals directed against USFK personnel, installations, or property.

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k. Any incident which, in the opinion of the local commander, may cause negative publicity, embarrassment, or discredit to the command.

1. Report of all sex offenses including those personnel listed in appendix B, subparagraph B-1a.

B-2. This list is not all-inclusive and is only meant to serve as a guide when deciding if an incident should be reported as an SIR. Any questions should be directed to the JPIC Shift Leader.

APPENDIX C

INFORMATION GUIDE FOR TELEPHONICALLY (FAX) REPORTED SIRs (USFK REG 190-40)			
<i>To ensure that the USFK Provost Marshal has sufficient information for evaluation and transmittal to higher headquarters, the following information will be completed on all SIRs.</i>			
1. DATE TIME REPORTED		2. REPORTING AGENCY	
3. CATEGORY OF INCIDENT		4. MPR NUMBER	5. SIR NUMBER
6. TYPE OF INCIDENT			
7. DATE/TIME OF INCIDENT		8. LOCATION	
9. WAS INCIDENT RACIALLY MOTIVATED:			
10 PERSONNEL INVOLVED (COMPLETE ON ALL INDIVIDUALS INVOLVED)			
a. NAME: SUBJECT <input type="checkbox"/> VICTIM <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> (Check One)			
b. GRADE	c. SSN	d. RACE	e. SEX
f. AGE	g. SECURITY CLEARANCE	h. DUTY POSITION	
i. UNIT OF ASSIGNMENT		j. DUTY STATUS (ON/OFF)	
k. ALCOHOL/DRUGS INVOLVED:			
a. NAME: SUBJECT <input type="checkbox"/> VICTIM <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> (Check One)			
b. GRADE	c. SSN	d. RACE	e. SEX
f. AGE	g. SECURITY CLEARANCE	h. DUTY POSITION	
i. UNIT OF ASSIGNMENT		j. DUTY STATUS (ON/OFF)	
k. ALCOHOL/DRUGS INVOLVED:			
a. NAME: SUBJECT <input type="checkbox"/> VICTIM <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> (Check One)			
b. GRADE	c. SSN	d. RACE	e. SEX
f. AGE	g. SECURITY CLEARANCE	h. DUTY POSITION	
i. UNIT OF ASSIGNMENT		j. DUTY STATUS (ON/OFF)	
k. ALCOHOL/DRUGS INVOLVED:			

